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No. 95-3820

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Albert W. Ware,

Appellant,

v.

Department of Corrections,

Appellee.

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\* Appeal from the United States  
\* District Court for the  
\* Southern District of Iowa  
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\* [UNPUBLISHED]  
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Submitted: May 16, 1996

Filed: July 10, 1996

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Before McMILLIAN, FAGG, and MORRIS SHEPPARD ARNOLD, Circuit Judges.

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PER CURIAM.

Albert Wayne Ware, an inmate of the Union Correctional Institution in Ralford, Florida, held under authority of the Iowa Department of Corrections, appeals from a final judgment entered in the United States District Court<sup>1</sup> for the Southern District of Iowa denying his petition for a writ of habeas corpus under 28 U.S.C. § 2254. Ware v. Iowa Dept. of Corrections, No. 4-93-70771 (S.D. Iowa Oct. 6, 1995) (order adopting report and recommendation). For reversal, Ware argues the district court erred in (1) denying his due process claim that the state had suppressed exculpatory evidence; (2) denying his due process claim that the state had knowingly offered perjured testimony; (3) denying his due process

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<sup>1</sup>The Honorable Harold D. Vietor, District Judge, United States District Court for the Southern District of Iowa, adopting the report and recommendation of the Honorable Celeste F. Bremer, Chief Magistrate Judge, United States District Court for the Southern District of Iowa.

claim of bias by the trial judge; (4) holding that the trial court had not erred in denying his motion for a continuance; (5) denying his ineffective assistance of counsel claim; and (6) holding that he was procedurally barred from challenging on federal habeas review an alleged *ex post facto* violation by the Iowa Supreme Court, the admissibility of the testimony of his alleged common-law wife at trial, and the denial of his motions for a severed trial and a change of venue.

After careful review of the briefs of the parties and the record on appeal, we conclude that the decision of the district court is correct and that an extended opinion by this court would add nothing of substantial value to the thorough opinions already written by the magistrate judge and the district court. Accordingly, the judgment of the district court is affirmed. See 8th Cir. R. 47B.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.